

57. The method of claim 53, wherein the agent is synthesized by the bacterium.

58. The method of claim 53, wherein the bacterium is nonreplicative and nonintegrative into the host cell genome.

59. The method of claim 53, wherein the bacterium is a dead or nonviable laboratory strain of *E. coli*.

60. The method of claim 53, wherein the bacterium is a laboratory strain of *E. coli* and the bacterium comprises the cytolysin.

61. The method of claim 53, wherein the bacterium is a dead or nonviable laboratory strain of *E. coli* and the bacterium comprises the cytolysin.

62. The method of claim 53, wherein the bacterium is a dead or nonviable laboratory strain of *E. coli* and the bacterium comprises the cytolysin and the cytolysin is listeriolysin.

63. The method of claim 53, wherein there is no growth or metabolism of the bacterium in the eukaryotic cell.

64. The method of claim 53, wherein the agent is selected from an antibiotic, insecticide, fungicide, anti-viral agent, anti-protozoan agent, enzyme, anti-cancer agent, antibody, anti-inflammatory peptide, and transcription factor.

65. The method of claim 53, wherein the disease is selected from cancer, infection, degenerative disease, and diabetes.

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REMARKS

The foregoing new claims are all drawn to particular embodiments of claims 1-33, as allowed in the parent application 09/133,914, and incorporate all the limitations of claim 1 of the

‘914 application.

Claims 11 and 26 provide the same limitations as does claim 1 of the ‘914 application, except that the “agent” is limited to an antigenic and therapeutic agent, respectively. Support for the use of the delivery vehicles in vaccines and methods for generating an immune response is found, inter alia, on p.22, lines 13 and 19; support for their use in therapy is found, inter alia, on p.4, line 13.

Claims 12-25 provide the identical limitations as do claims 2-5, 23-26, 27-33 of the ‘914 application; claims 27-38 provide the identical limitations as do claims 1-5, 23-25, 28-32 of the ‘914 application.

Method claims 40 and 53 provide the identical limitations as does claim 1 of the ‘914 application except that the “agent” is limited to an antigenic and therapeutic agent, respectively. Claims 41-52 provide the identical limitation as do claims 10-13 and 15-22 of the ‘914 application; claims 54-63 provide the identical limitation as do claims 10-13,16-20 and 22 of the ‘914 application.

Support for the polypeptide-based agents of claims 39 and 53, including antibiotics, insecticides, fungicides, anti-viral agents, anti-protozoan agents, enzymes, anti-cancer agents, antibodies, anti-inflammatory peptides, transcription factors, antigenic peptides, etc., is found on p.5, lines 6-11. Support for treating the diseases of claim 65, including cancers, infection, degenerative disease, diabetes is found, inter alia, in Table 1, on p.9-10.

These amendments introduce no new matter.

The Commissioner is hereby authorized to charge any fees or credit any overcharges associated with this communication to our Deposit Account No. 19-0750 (order no.B98-039-2).

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP


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